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-- 12. The tagged protein of claim 9, wherein said isolated epitope polypeptide is fused to the N-terminus of said protein. --

-- 13. An isolated immunological complex comprising:

a mouse monoclonal antibody SRT 10; and

a tagged protein, which comprises an isolated epitope polypeptide having an amino acid sequence of SEQ ID NO:1. --

-- 14. The immunological complex of claim 13, wherein said isolated epitope polypeptide is fused to a protein. --

-- 15. The immunological complex of claim 13, wherein said tagged protein is recombinantly produced. --

REMARKS

Claims 1-3 and 5-15 are pending in the application. Support for the newly added claims 6-15 can be found at, *inter alia*, pages 7-8 in the specification. No new matter has been inserted into the application.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claim 4 has been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant notes that claim 4 has been canceled. Accordingly, this rejection has been overcome.

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Rejection Under 35 U.S.C. §102(b) Over Hahn et al. (Gene, 133:129-133 (1993))

Claim 4 has been rejected under 35 U.S.C. §102(b) as being anticipated by Hahn et al. Applicant traverses this rejection. However, claim 4 is no longer in the application. Accordingly, this rejection has been overcome.

Rejection Under 35 U.S.C. §102(b) Over Carl '441 (U.S. Pat No. 5,783,441)

Claim 4 has been rejected under 35 U.S.C. §102(b) as being anticipated by Carl '441. Applicant traverses this rejection. However, claim 4 is no longer in the application. Accordingly, this rejection has been overcome.

Newly Added Claims 6-14

Applicant has cancelled claim 4, which is directed to mouse monoclonal antibody SRT 10. Instead, Applicant submits new claims 6-15 directed to an isolated epitope polypeptide, a tagged protein comprising the isolated polypeptide, and an isolated immunological complex of SRT 10 mouse monoclonal antibody and a tagged protein bearing the inventive epitope.

Applicant notes that the epitope claims were placed into group I in the Restriction Requirement dated July-5, 2001. The claims of group I is hereby elected with traverse for the reasons stated in the Response to the Office Action submitted on August 6, 2001.

→ already ⁴ Elected Group I 8/6/01


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The newly submitted claims 12-15 are directed to an isolated immunological complex of SRT 10 mouse monoclonal antibody and a tagged protein bearing the inventive epitope, and it is submitted that a search for group I would encompass the subject matter of claims 12-15 as well. Applicant respectfully requests the Examiner to consider claims 1-3 and 6-15 on the merits.

It is respectfully submitted that the present claims are in condition for allowance and a Notice of Allowability is solicited. The undersigned attorney welcomes comments and suggestions from the Examiner. If a telephone conversation can further prosecution of this case in any manner, the Examiner is urged to telephone the attorney at the number listed below. The Commissioner is authorized to charge Deposit Account **07-1853** for any fees due to secure entry of this amendment to the extent necessary.

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.

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